

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARA PALLADINO and ISABELLE
BARKER

Plaintiffs,

v.

THOMAS W. CORBETT, in his official
capacity as Governor of Pennsylvania, and
his successors in office; and KATHLEEN
KANE, in her office capacity as
Attorney General of Pennsylvania, and her
successors in office

Defendants.

Civil Action No. 2:13-cv-05641-MAM

RULE 16 STATUS REPORT

Counsel for Defendant, Thomas W. Corbett, having conferred via telephone with counsel for Plaintiffs Cara Palladino and Isabelle Barker, hereby submits the following status report in accordance with the October 24, 2013 Order of the Court.

1. General Nature of the Case

This is an action brought under 42 U.S.C. § 1983.

2. Rule 16 Scheduling Conference

A Rule 16 conference is scheduled for Friday, November 1, 2013, at 9:30 a.m. before the Honorable Mary A. McLaughlin, Room 13614, U.S. Courthouse, 601 Market St., Philadelphia, PA 19106.

3. Alternative Dispute Resolution/Settlement

The parties agree that this matter is not appropriate for alternative dispute resolution and/or amicable settlement.

4. Scheduling Matters

The parties are unable to agree to a proposed scheduling order. On October 30, 2013, after the close of business, Plaintiffs' counsel circulated a proposed scheduling order to Defendant Corbett's counsel. Before Defendant Corbett's counsel were able to respond (because Defendant Corbett's counsel were involved with an office-related funeral last night and this morning), Plaintiffs' counsel submitted their own proposed scheduling order without Defendant Corbett's input.

5. Proposed Schedule

- a. Compliance with Rule 26(a)'s duty of self-executing disclosure: 11/13/13
- b. Defendants' Motion to Dismiss Plaintiff's Complaint: 11/25/13
- c. Plaintiffs' Response to Defendants' Motion to Dismiss: 12/15/13
- d. All discovery stayed pending disposition of the Motion to Dismiss.
- e. Discovery for 180 days following disposition of the Motion to Dismiss, subject to special comments set forth below.
- f. Expert discovery for 180 days following disposition of the Motion to Dismiss.
- g. Rule 56 Motions for Summary Judgment: 30 days after close of discovery.
- h. Trial ready 45 days after disposition of Motions for Summary Judgment.

6. Special Comments

a. Governor Corbett notes that it is possible that there may be some scheduling conflicts with a similar case in the Middle District that may be tried in the summer of 2014. A scheduling order is expected on or about November 22, 2013, depending upon the outcome of pending motions.

- b. Discovery is needed to resolve the claims alleged in Plaintiffs' Complaint.

c. Because Governor Corbett intends to file a motion to dismiss him from the case entirely, it is likely that the plaintiffs will then add additional defendants. Governor Corbett asks that his deposition be taken only upon Court approval after plaintiffs establish specific justification for that deposition upon showing that it is truly necessary and no other discovery can address the information to be sought from the Governor.

d. Defendant Corbett expects to seek releases/consent or other cooperation from Plaintiffs for access to tax, medical or adoption records in connection with assertions made in the Complaint regarding harm and effect in connection with the law.

Respectfully submitted,

LAMB McERLANE PC

By: William H. Lamb
William H. Lamb (Pa. Bar I.D. No. 04927)
24 East Market Street
P.O. Box 565
West Chester, PA 19381-0565
(610) 430-8000
wlamb@lambmcerlane.com

*Attorneys for Defendant
Thomas W. Corbett*

CERTIFICATE OF SERVICE

This is to certify that in this case, a complete copy of the foregoing *Rule 16 Status Report* was served upon the following, by the following means and on the date stated below, via the Court's ECF system, only, and is available for viewing and downloading from the ECF system.

<u>Name:</u>	<u>Means of Service:</u>	<u>Date of Service:</u>
---------------------	---------------------------------	--------------------------------

Michael L. Banks, Esq. Eric Kraeutler, Esq. Vanessa R. Brown, Esq. Elisa P. McEnroe, Esq. Morgan, Lewis & Bockius LLP 1701 Market Street Philadelphia, PA 19103-2921	via Electronic means,	October 31, 2013
--	-----------------------	------------------

Benjamin L. Jerner, Esq. Tiffany L. Palmer, Esq. Jerner & Palmer, P.C. 5401 Wissahickon Avenue Philadelphia, PA 19144	via Electronic means,	October 31, 2013
---	-----------------------	------------------

LAMB McERLANE PC

By: William H. Lamb
William H. Lamb (Pa. Bar I.D. No. 04927)
24 East Market Street
P.O. Box 565
West Chester, PA 19381-0565
(610) 430-8000
wlamb@lambmcerlane.com

*Attorneys for Defendant
Thomas W. Corbett*